

Texas Workforce Commission

**NCP Choices:
A Comprehensive Guide**

February 2010

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NCP Choices: A Comprehensive Guide

Overview of Guide

Purpose

The purpose of this guide is to provide:

- policies and procedures for the Noncustodial Parent (NCP) Choices program; and
- guidance and information on assisting NCP Choices participants in their efforts to obtain and retain employment and meet their child support obligations.

Objectives

The objectives of this guide are to:

- communicate expectations for NCP Choices participation and program requirements;
- ensure service consistency; and
- improve links between partner agencies.

Target Audience

The target audience for this guide is:

- Texas Workforce Center (Workforce Center) staff;
- Local Workforce Development Board (Board) staff; and
- Texas Workforce Commission (TWC) staff.

Chapters of the Guide

The numbering system for this guide is based on numerical divisions, with alphabetical subdivisions.

Chapter 1: Policy and Requirements

Chapter 2: Operations

Chapter 3: List of Revisions

Changes to Guide Content

TWC will update the guide, and notify Boards, when policy and/or automation changes affect the contents.

NCP Choices Program

Chapter 1 – Policy and Requirements

A. GENERAL POLICY INFORMATION

1. Background

a. Legislative Authority

The Noncustodial Parent (NCP) Choices program is funded by Temporary Assistance for Needy Families (TANF) and is authorized under the TANF State Plan and the following federal statutes and regulations:

- Social Security Act, Title IV, Part A, §§403–419
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law (PL) 104-193)
- Balanced Budget Act of 1997 (PL 105-33)
- Deficit Reduction Act of 2005 (DRA) (PL 109-171)
- 45 C.F.R. Parts 260–265

b. Program Goals

Initiated in August 2005, NCP Choices is a collaborative effort of the Office of the Attorney General (OAG) of Texas, the Texas Workforce Commission (TWC), and family court judges. The program targets low-income unemployed or underemployed noncustodial parents who are behind on their child support payments and whose children are current or former recipients of public assistance.

The goal of the program is to help NCPs overcome substantial barriers to employment and career advancement while becoming economically self-sufficient and making consistent child support payments.

The success of the NCP Choices program is largely attributable to four core elements:

1. Court-ordered requirement of program participation. Failure to participate leads to “swift and certain consequences,” up to, and including, jail time;
2. Presence of Workforce Center staff at the court to meet with NCPs immediately after being ordered into the program;
3. Intensive case management by Workforce Center staff, including weekly contact until NCPs enter employment, and monthly verification of continued employment; and

4. Close communication with program partners regarding NCPs' participation and progress in the program.

c. Funding

Funded with statewide TANF funds, the NCP Choices program is modeled on previous NCP employment programs and Texas's TANF employment and training program, Choices. NCPs who are ordered into the program by the court system either participate willingly in the program or are subject to consequences determined by the court.

d. Target Population

To be eligible for NCP Choices, an NCP must:

- have a child support case in which the child and/or custodial parent is a current or former recipient of TANF or Medicaid benefits;
- be delinquent in child support payments;
- be unemployed or underemployed;
- reside in the geographical area served by the participating Board;
- be legally able to work in the United States; and
- have an OAG-issued consent order and be ordered by a court to participate in the program.

Only NCPs who meet all of the criteria listed above may participate in NCP Choices. New participants cannot be referred for NCP Choices by staff or other programs, and prior participants cannot resume participation unless a judge issues a new order. A noncustodial or custodial parent who is not eligible for NCP Choices may still access workforce services as a universal customer through the local Workforce Center.

e. Results to Date

Despite the fact that this is one of the hardest-to-serve populations, the NCP Choices program has seen unprecedented employment, job retention, and child support results. The following information has been collected regarding the NCP Choices program between August 2005 and July 2009:

- 81 percent of participating NCPs entered employment;
- On average, the NCPs entered employment within eight weeks;
- 81 percent of participating NCPs retained employment for at least six months; and
- More than \$13.5 million in child support was collected—more than \$3 for every \$1 spent.

2. Definitions of NCP Choices Acronyms and Terms

IV-D—Title IV-D of the Social Security Act, which outlines the federal regulations relating to child support collections.

IV-D Court—court that handles cases related to paternity and child support.

Acknowledgement of Paternity (AOP)—when both parents sign an Acknowledgment of Paternity and it is filed with the Bureau of Vital Statistics, the biological father becomes the legal father. Once paternity has been established, the father’s name is placed on the birth certificate. A court can then order the father to pay child support and grant him the right to visitation or possession of his child.

Administrative Income Withholding (AIW)—child support that is automatically taken out of an NCP’s wages, also known as garnishing wages or an Income Withholding Order (IWO).

Arrears—unpaid child support debt.

Assessment—an in-depth evaluation of employability, educational history, vocational and educational skills, literacy levels, work experience, criminal history, special circumstances, and support service needs.

Capias—a writ (court order) issued by a court directing an officer to arrest the person named. Also known as an arrest warrant or bench warrant.

Child Support Review Process (CSRP)—a nonadversarial way parents can resolve legal issues about their child support without going to court. Parents meet with a child support officer to establish an order. Once an agreement is reached, a CSRP order is filed with the court and reviewed by a judge. After the judge has signed it, a CSRP order is legally binding and will be enforced just as any order obtained through a court proceeding.

Choices Online Tracking System (COLTS)—the Web-based tracking and reporting system shared by TWC, Boards, Workforce Center staff, and OAG that is used to store and retrieve real-time NCP Choices participant data. COLTS-related links:

- COLTS (<https://www.oag.state.tx.us/cs/ofc/colts/login.php>)
- COLTS User Guide (https://www.oag.state.tx.us/cs/ofc/colts/resources/colts_training.pdf)
- Authorization to Release Information form (https://www.oag.state.tx.us/cs/ofc/colts/resources/Authorization_Info_Release_Attachment_A.pdf)

Compliance hearing—a court hearing set up by the IV-D court to review an NCP’s compliance with NCP Choices program requirements. Compliance hearings are typically scheduled at the NCP’s enforcement hearing and take place every 30, 60, or 90 days depending on the court.

Custodial parent—the individual who has primary care and custody of the child.

Deferred commitment—court order in which an NCP’s jail sentence (commitment) is deferred to a future court date, at which time the NCP may begin serving his or her jail sentence.

Domestic Relations Office (DRO)—county court office that provides information and services related to child support orders, including collections, support and possession of and access to children, and enforcement of orders for child and medical support.

Enforcement hearing—court hearing in which solutions to obtain child support payments are applied. Enforcement hearings are not held unless the noncustodial parent has past due, unpaid child support payments or is considered to be in arrears.

Establishment hearing—court hearing that establishes paternity and child support payment levels.

Income Withholding Order (IWO)—a court order requiring that child support be automatically taken out of an NCP’s wages, also known as garnishing wages or Administrative Income Withholding (AIW).

Individual Employment Plan (IEP)—a plan of action developed with the NCP Choices participant and based on assessments of the NCP’s skills, strengths, and abilities, with the goal of self-sufficiency through employment. The IEP must include post-employment service strategies to assist the individual with continual employment advancement.

Local Workforce Development Board—the organization responsible for the planning and oversight of workforce services within its designated local workforce development area (workforce area).

Motion to revoke (MREV)—the revocation of the suspended or delayed commitment order. If an NCP does not comply with his or her child support order, OAG submits an MREV request asking that the judge revoke the suspended or deferred commitment and issue a warrant for the arrest of the NCP. Also known as Motion to Revoke Probation or MTRP.

NCP Choices participant—an individual who is participating in the NCP Choices program as directed by a court order.

Noncompliance—noncooperation with NCP Choices program guidelines, including a lack of participation in work search activities, lack of response to outreach notices, or nonpayment of child support.

Noncustodial parent (NCP)—an individual who does not have primary care or custody of his or her child and is required to pay child support; also known as the obligor.

Obligor—the person responsible for paying child support; also known as the noncustodial parent.

Office of the Attorney General (OAG)—the state agency serving as legal counsel for the State of Texas; among other duties, is charged with the collection of court-ordered child support.

Suspended commitment—court order in which an NCP’s jail sentence (commitment) is suspended.

Texas Child Support Enforcement System (TXCSES)—the OAG data-automation system used for storing and retrieving NCP case information and status.

The Workforce Information System of Texas (TWIST)—the TWC data automation system used for storing and retrieving NCP Choices participant data, such as demographics and performance. The *NCP Choices TWIST Quick Reference Guide* is available at <http://www.twc.state.tx.us/boards/guides/ncpdeskaid.pdf>.

Workforce Orientation for Applicants (WOA)—an orientation that includes information on available Texas workforce system services designed to assist job seekers in obtaining employment.

3. NCP Choices Responsibilities

a. TWC Responsibilities

TWC:

- issues rules, policies, and guidelines;
- contracts with Boards to provide services;
- conducts quarterly site visits, in coordination with OAG staff, to NCP Choices program areas to meet with Board, Workforce Center, and OAG staff to review program progress and issues;
- provides training and technical assistance to participating Board and Workforce Center staff as necessary and appropriate;
- analyzes and monitors fiscal and performance activities on an ongoing basis; and
- coordinates with OAG to identify and implement enhancements to NCP Choices.

b. Office of Attorney General Responsibilities

OAG:

- identifies NCPs who are not paying child support, and files appropriate motions for judicial enforcement;
- communicates NCP Choices benefits and consequences to NCPs who are ordered by the court into NCP Choices;

- prepares appropriate NCP court orders, including provisions to participate in NCP Choices;
- maintains a comprehensive log of participants ordered into NCP Choices and participant outcomes, including child support payments, using COLTS;
- sets enforcement hearings when NCPs are not compliant with program guidelines; and
- attends monthly meetings with Board and Workforce Center staff to review NCP Choices program progress and issues.

c. Local Workforce Development Board Responsibilities

Boards must:

- provide ongoing oversight and management of the NCP Choices program;
- analyze and monitor fiscal and grant award performance activities on an ongoing basis;
- provide technical assistance to Workforce Center staff as necessary and appropriate;
- develop corrective action plans as needed to improve program performance;
- coordinate monthly NCP Choices meetings with OAG and Workforce Center staff to discuss and review program progress and to identify necessary program enhancements;
- develop a memorandum of understanding (MOU) with OAG that outlines both parties' program roles and responsibilities; and
- comply with all WD Letters and TWC issuances relating to the NCP Choices program.

d. Texas Workforce Center Responsibilities

Boards must ensure that Workforce Centers designate a sufficient number of staff to serve as case managers, who are responsible for:

- attending court hearings to enroll eligible participants in the NCP Choices program;
- serving eligible participants by providing allowable employment services that mirror Choices employment services;
- tracking services, employment, wages, and court order compliance in a timely and accurate manner in TWIST and COLTS;
- coordinating program activities with TWC, Boards, OAG, and the local court system;
- coenrolling participating NCPs in other workforce programs, as necessary and appropriate;
- participating in monthly NCP Choices staff meetings with Board and OAG staff to identify program enhancements and provide progress updates; and
- complying with all WD Letters and TWC issuances relating to the NCP Choices program.

e. All Parties Responsibilities

All parties must:

- formalize processes for sharing information regarding NCP Choices outcomes for reporting requirements, as appropriate and allowable;
- promote joint planning to include processes and procedures;
- provide coordinated services that address barriers to assisting participants with finding and retaining employment and payment of child support; and
- maintain the confidentiality of applicant information and use applicant data only for the administration of the parties' appropriate programs.

f. NCP Participation Requirements

At a minimum, NCPs must:

- participate in work activities for 30 hours per week;
- report to their NCP Choices case manager weekly concerning NCP Choices activities until employed;
- complete and return to the NCP Choices case manager all forms and reports concerning NCP Choices activities and program participation;
- report to employers when referred;
- accept bona fide offers of suitable employment; and
- submit verification of continued employment each month for six months.

4. Appeals of NCP Choices Activities and Support Services Decisions

Boards must ensure that Workforce Center staff providing NCP Choices services informs NCPs of their rights to appeal a decision related to NCP Choices activities and support services. Boards must establish policies to inform individuals of their right to file an appeal if a determination adversely affects the type and level of services provided by the Board or its designee. This can be accomplished by:

- verbally informing NCPs of their appeal rights during employment planning meetings;
- distributing materials, including leaflets and brochures, during employment planning meetings at the Workforce Center, that inform NCPs of their rights to appeal; and
- posting signs in the Workforce Center regarding the right to appeal.

Boards must ensure that NCPs are provided with the Workforce Center's address, name of a contact person, and a specific time period for filing an appeal. NCPs can appeal a decision under the hearings process set forth in TWC's Integrated Complaints, Hearings, and Appeals rules at 40 TAC, Chapter 823 (<http://www.twc.state.tx.us/twcinfo/rules/ch823.pdf>).

5. Discrimination Complaints

NCPs alleging discrimination on the basis of age, race, color, national origin, or physical or mental disability have a right to file a written complaint of alleged discriminatory acts within 180 calendar days from the date of the alleged discriminatory act. NCPs must submit complaints to the following address:

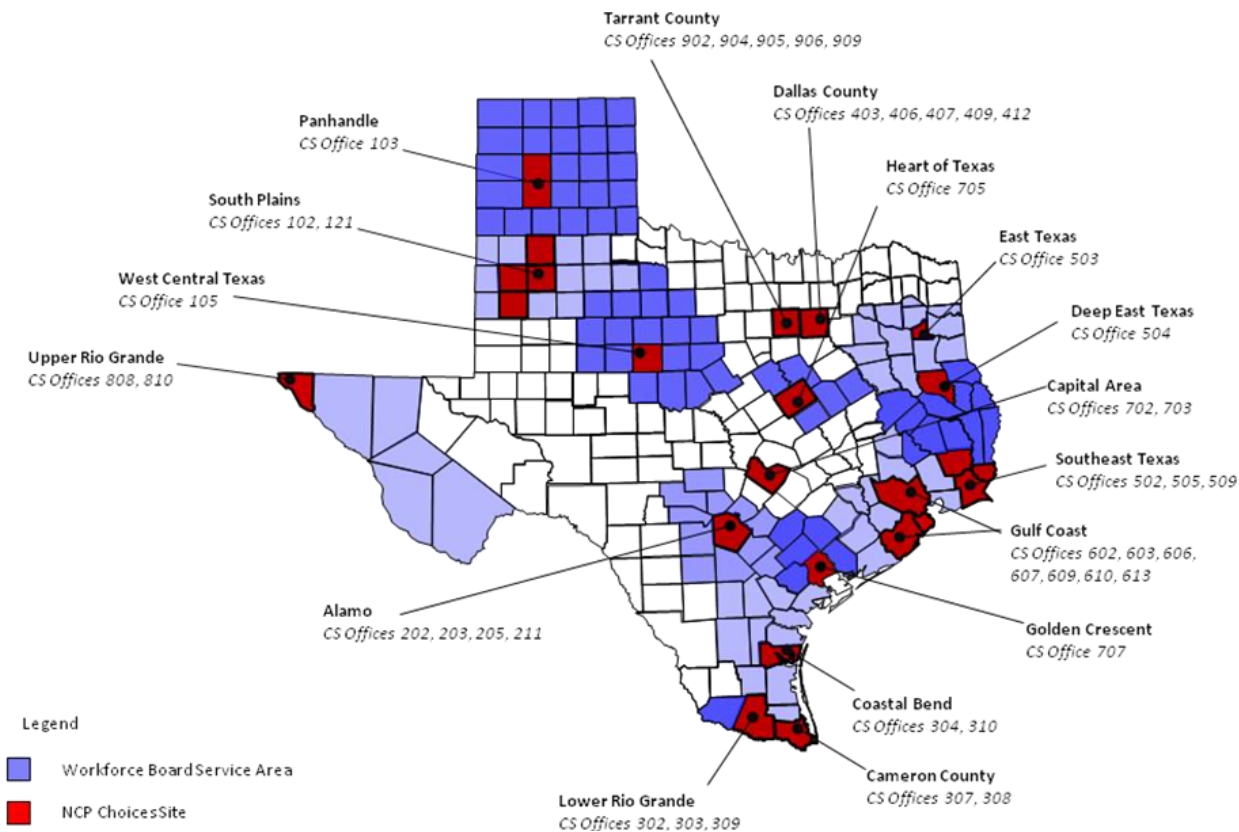
Texas Workforce Commission
 Subrecipient Monitoring and Equal Opportunity Department
 101 East 15th Street, Room 242T
 Austin, Texas 78778-0001

Boards must ensure that Board or Workforce Center staff advises NCPs who express an interest in filing a discrimination complaint of their rights to file a complaint and of the complaint procedures.

6. Geographic Coverage

As of March 2010, NCP Choices programs are operating in 17 workforce board areas.

Existing NCP Choices Sites and Child Support Offices



NCP Choices Program

Chapter 2 – Operations

A. CASE MANAGEMENT

The role of Workforce Center staff in the NCP Choices program is to eliminate NCPs' barriers to employment so they can enter stable employment. Case management is vital to ensuring that NCPs do not fall or slip, through the cracks. Boards must ensure that during the time that NCPs are ordered to participate in the program, Workforce Center staff works closely with each NCP and provides employment and support services that mirror the Choices program.

Active participation is a basic requirement of NCP Choices. NCPs must commit to at least 30 hours of work search per week. Boards must ensure that Workforce Center staff maintains:

- at least weekly contact with NCPs until they enter employment; and
- monthly contact with NCPs for six months to track retention and provide post-employment services, as needed, after they enter employment.

To provide effective case management, it is recommended that Boards ensure that each Workforce Center staff member has no more than 30–35 NCPs on his or her caseload at any given time.

One of the critical elements of a successful NCP Choices program site is regular communication with OAG. Boards must ensure that Workforce Center staff:

- develops a thorough awareness of OAG's and the local court system's procedures and policies; and
- maintains ongoing communication with OAG staff regarding NCPs' program participation and progress.

Boards may coordinate information sharing and training with local OAG staff. Additional technical assistance can be provided by TWC and/or OAG state staff.

In courts that hold compliance or review hearings, the court schedules and conducts judicial monitoring of cases. Boards must ensure that Workforce Center staff attends NCP hearings in conjunction with OAG, and provides evidence, when requested, of NCP compliance, noncompliance, and/or employment.

Boards must be aware that Workforce Center staff is not responsible for ensuring that NCPs make child support payments; however, monitoring and encouraging NCPs to make payments can be a critical part of an NCP's successfully meeting the terms of the court order.

1. Intake

OAG identifies eligible NCPs and works with the court to set hearings for NCP cases on upcoming court dockets. Typically, the goal is to have 15 individuals ordered into NCP Choices per month per child support office or court, but the exact number can vary by site. Boards must ensure that Workforce Center staff attends these hearings (note that professional dress and behavior in the courtroom is expected).

Boards must be aware that Workforce Center staff attendance at these hearings:

- allows for almost constant communication between judges, OAG, and Workforce Center staff;
- eliminates confusion on whether the individual is part of the NCP Choices program, as a copy of the court order is received directly by Workforce Center staff; and
- provides Workforce Center staff with the opportunity to have immediate contact with the NCP, which reinforces the partnership between the judge, OAG, and Workforce Center staff, and gives Workforce Center staff the opportunity to introduce NCPs to the program when they are most receptive.

Once an NCP agrees to participate in NCP Choices, the judge orders the NCP into the program as part of either a suspended or deferred commitment order. Boards must ensure that immediately after the NCP is ordered to participate in NCP Choices, Workforce Center staff meets with the NCP to:

- explain the court order (including consequences for noncompliance), the NCP Choices program requirements, and available workforce services;
- obtain a signed OAG Authorization to Release Information form (available at https://www.oag.state.tx.us/cs/ofc/colts/resources/Authorization_Info_Release_Attachment_A.pdf), and signed copies of other required enrollment forms (Workforce Participation Agreement, Orientation to Complaint, etc.); and
- set an initial appointment to meet again within one week.

Boards must ensure that within one week of the court order date, Workforce Center staff:

- meets with the NCP;
- provides a workforce orientation; and
- completes an assessment of employment needs and an Individual Employment Plan (IEP).

Boards must ensure that Workforce Center staff determines the need for support services during the initial appointment.

2. Workforce Orientation

The purpose of the workforce orientation is to inform NCPs of the services and tools available to facilitate their entry into the workforce. Boards must ensure that Workforce Center staff:

- allows NCPs to participate in a regularly scheduled Workforce Orientation for Applicants; or
- presents comparable information to help NCPs understand:

- the benefits and advantages of becoming employed;
- available workforce services and tools;
- individual and parental responsibility; and
- the likely consequences of noncompliance.

At a minimum, each workforce orientation must provide:

- NCP Choices program participation requirements;
- potential consequences of noncompliance with program participation requirements; and
- information on:
 - how to find a job;
 - local labor market information;
 - job counseling, job search, and job referral assistance;
 - the availability of support services;
 - WorkInTexas.com;
 - other available services [Work Opportunity Tax Credit, fidelity bonding, Workforce Investment Act (WIA), Earned Income Tax Credit, etc.];
 - assistance with applications and résumés;
 - interests, aptitude, and educational testing;
 - books, magazines, or Internet links to careers and employers; and
 - resource room access (computers, phone, fax, etc.).

3. Assessment

Boards must ensure that Workforce Center staff performs initial and ongoing assessments to:

- determine the employability and job retention needs of all NCP Choices participants, including wage advancement and career development needs; and
- guide the development of an IEP.

The IEP may be modified based on the individual's progress. Boards may develop their own procedures and documentation requirements relating to assessments, provided the assessments identify an NCP's:

- vocational and education skills and training;
- work experience;
- job interests and goals;
- pre- and post-employment skills development needs in order to determine the necessity of job-specific training;
- support service needs; and
- individual and family circumstances that could create barriers to employment or participation in NCP Choices.

4. Employment Planning

Boards must ensure that Workforce Center staff jointly develops an IEP with each NCP to identify the participant's employment goals and the sequence of services and/or activities needed to achieve the employment goal. The IEP is an agreement with the NCP, describing each party's responsibilities.

The IEP is intended to be a living document that is routinely reviewed and updated as necessary, based on changes in the NCP's needs, barriers, goals and objectives, progress, and goal attainment.

Boards must ensure that Workforce Center staff:

- completes the initial IEP no later than one week following the date of intake; and
- includes the following elements in the IEP:
 - NCP's education level, skills, abilities, and interests
 - NCP's obstacles or barriers to successful program participation and goal attainment
 - NCP's long-term employment goal
 - NCP's short- and long-term objectives
 - Mutually agreed upon strategies, services, and activities to be provided to assist the NCP in achieving his or her goals
 - Progress updates

Boards must ensure that:

- the NCP and the case manager print, sign, and date the initial IEP;
- a copy of the initial IEP is provided to the NCP; and
- the original IEP is retained in the NCP's case file.

Boards also must ensure that *Case Notes* in TWIST and COLTS reflect the initial elements of the IEP.

Boards must ensure that:

- the NCP and his or her case manager regularly review and update the IEP, based on any changes in the NCP's goals, objectives, needs, barriers, progress, or activities; and
- the case manager documents reviews and updates in TWIST and COLTS following each meeting with the NCP.

5. Employment Services and Activities

The services provided to NCPs mirror the services provided to TANF recipients under TWC's Choices program. The goal of NCP Choices services is to eliminate barriers to employment and help NCPs obtain secure employment.

Some local strategies to accomplish this goal have included:

- collaborating with and coenrolling NCPs in other programs when appropriate (WIA, Self-Sufficiency Fund, targeted job training programs, apprenticeships, etc.);
- offering incentives, such as gift cards and gas cards, to encourage greater participation;

- connecting with local employers for subsidized employment or on-the-job training (OJT) opportunities; and
- providing short-term training in high-demand occupations (e.g., welding, HVAC, auto repair).

Boards must be aware that NCP Choices participants are required to participate in at least 30 hours of job search and/or job readiness activities per week until they enter full-time employment. Boards must ensure that case managers are accessible to allow NCP Choices participants to submit documentation of job search, report job search progress, and receive additional guidance.

Boards also must be aware of the following:

- An employment activity is defined as unsubsidized employment, subsidized employment, vocational educational training, OJT, or work experience.
- NCP Choices participants who are not in an employment activity after four weeks of active participation are ineligible for additional participation in these activities until they comply with local community service requirements.

Boards must, based on Workforce Center staff assessments, provide the following employment and support services as part of an NCP's IEP, as appropriate.

a. Job Readiness

Boards may provide job readiness services to assist NCP Choices participants in seeking, obtaining, and retaining employment. Job readiness activities include:

- life skills;
- guidance and motivation for development of positive work behaviors for the labor market;
- job skills assessment;
- job counseling;
- interviewing skills and practice interviews; and
- assistance with applications and résumés.

b. Job Search

Boards must be aware that job search activities can be self-directed or staff-assisted and include:

- seeking and obtaining information on available jobs;
- attending job fairs and job clubs;
- contacting job referrals;
- applying or interviewing for job vacancies;
- contacting potential employers; and

- participating in job development services focused on active engagement of employers.

c. Vocational Educational Training

Boards must ensure that, when provided, vocational educational training:

- relates to the types of jobs available in the labor market;
- is consistent with the employment goals identified in the IEP;
- is provided only if there is an expectation that employment will be secured upon completion of the training; and
- prepares NCPs for a specific trade, occupation, or vocation other than a baccalaureate or advanced degree.

Boards must ensure that training provided for an unemployed NCP is:

- short term (typically 4–6 weeks in duration); and
- coordinated with, and approved by, local OAG staff.

Examples of successful short-term training courses include auto repair, welding, truck driving, HVAC, and forklift certification.

d. Educational Services

Boards must ensure that allowable educational services directly relate to employment, including:

- educational activities leading to a high school diploma or completion of a GED credential;
- Adult Basic Education (ABE);
- English as a Second Language (ESL); and
- workforce adult literacy and language instruction.

Boards must ensure that Workforce Center staff verifies the educational services curriculum to ensure that the NCP is provided with knowledge and skills related to specific occupations, work settings, jobs, or job offers.

Boards may:

- pay for the cost of testing and the issuance of certificates if other sources of payment are not available; and
- authorize payments up to the amount charged other customers of the test centers.

Boards must ensure that NCPs demonstrate readiness to take one or more of the tests before being referred to test centers by Workforce Center staff.

Boards must ensure that:

- charges cover the actual cost of testing, any national or state processing fees, and the cost of the certificate; and
- direct payments are made to the test centers for testing costs and the issuance of certificates to NCPs.

Boards must be aware that distance learning is not an allowable activity unless it is performed in a supervised setting. Supervised settings include Workforce Centers, educational institutions, or other applicable settings where a responsible party is physically present and supervising the completion of the computer-based training.

e. Work Experience

Work experience includes any work without pay or compensation that allows an individual to gain knowledge, training, or skills necessary to obtain employment. Boards must ensure that work experience is:

- similar in concept to OJT;
- in the private, for-profit sector;
- authorized on a case-by-case basis;
- expected to improve the employability of the individual;
- time-limited (as defined by the Board) and designed to move the recipient into unsubsidized employment;
- unsalaried, with designated hours, tasks, skills, and attainment objectives; and
- supervised daily by an employer, worksite supervisor, or designated representative.

f. On-the-Job Training

OJT is provided by an employer, on or off the worksite, to an NCP who is engaged in productive work in a job. Boards must ensure that OJT:

- provides knowledge or skills essential to the full and adequate performance of the job;
- provides the employer with reimbursement of a percentage of the NCP's wage rate for the extraordinary costs of providing the training and additional supervision related to the training;
- is limited in duration as appropriate to the occupation for which the NCP is being trained, taking into account the content of the training, the prior work experience of the individual, and the service strategy of the individual;
- includes training specified by the employer (i.e., customized training);
- provides wages, benefits, and working conditions equal to those provided to the employer's incumbent employees who have worked a similar length of time and performed a similar type of work;
- is supervised daily by the employer, worksite sponsor, or service provider's designated representative; and

- is documented in *TWIST Case Notes* at least every week, including the type of verification received.

Boards are not required to procure employers for OJT and customized training. However, if a Board chooses to offer OJT and customized training, it must establish local policies for identifying employers for OJT and customized training services.

g. Subsidized Employment

Subsidized employment is short-term employment, either full- or part-time, in the private or public sector, where a portion of the individual's wages are subsidized. It is designed to allow the individual to learn the skills necessary to transition into unsubsidized employment. A Board must not be the employer of record for NCPs enrolled in a subsidized employment activity. Employers cannot use subsidized employment to displace existing employees, and wages must be at least the federal minimum wage.

h. Unsubsidized Employment

Unsubsidized employment includes either full- or part-time employment in which wages are paid in full by the employer. If the NCP is not employed full-time, Boards must ensure that he or she still participates in 30 hours or more of employment activities per week.

i. Community Service

Community service is a way to improve the employability of NCPs through unpaid work experience. Boards must ensure that community service is authorized on a case-by-case basis, and contains structured, daily supervised activities with a public or private nonprofit organization that directly benefit the community. Community service positions may include work performed in:

- a school or Head Start program;
- a church;
- a government or nonprofit agency; or
- AmeriCorps, Vista, or other private volunteer organization.

Boards must ensure that community service placements are limited to positions that serve a useful community purpose in fields such as:

- health;
- social service;
- environmental protection;
- education;
- urban and rural redevelopment;

- welfare;
- recreation;
- public facilities;
- public safety; and
- child care.

j. Post-Employment Services

Because the first few months of employment are a critical time for new workers, post-employment follow-up and support services are important to helping individuals retain employment. Key post-employment strategies can include:

- extended or ongoing case management;
- assistance with transportation and work-related expenses;
- referrals to available education and training resources;
- additional career planning and counseling;
- referrals to other service providers and community resources; and
- mentoring.

B. SUPPORT SERVICES

Boards must provide support services, as appropriate, to NCP Choices participants to address barriers to employment or participation in NCP Choices.

Boards must ensure that support services are reasonable, necessary, and directly related to participation in the NCP Choices program. Allowable support services include the following:

- Transportation assistance
- Licensing fees
- Work-related expenses (e.g., tools, work clothes, glasses, work boots, etc.)
- GED testing payments
- Short-term training
- One-time, short-term, and nonrecurrent payments

Boards must ensure that support services are not extended to NCPs who are not actively participating in the program. After successfully demonstrating cooperation, support services can continue for NCPs as long as they are actively participating in the NCP Choices program, including during the post-employment retention tracking period.

1. Transportation Services

Boards may provide NCPs with a wide variety of transportation services, as long as the expenditures are reasonable, necessary, and directly related to participation in work-based services, education and training services, and post-employment services. It is recommended that Boards use or develop policies and procedures to ensure that transportation assistance is provided to NCPs when alternative transportation resources are not available.

Boards must ensure that the most economical means of transportation that meets the NCP's needs is used.

2. Work-Related Expenses

Boards may provide work-related expenses that are necessary for NCP Choices participants to accept or retain employment. Boards also may provide work-related expenses when an NCP participates in community service and work experience.

Boards may allow work-related expenses to be paid in advance or as a reimbursement, based on the individual's needs for the job. Examples of work-related expenses include tools, uniforms, transportation, and the cost of vocationally required examinations or certificates.

Boards must ensure that Workforce Center staff:

- authorizes and reports work-related expenses in TWIST; and
- documents expenses in the case records.

Additionally, Boards must ensure that local policy and procedures are established regarding the methods of, and limitations on, work-related expenses.

3. Nonmonetary Incentives for NCP Choices Participants

Nonmonetary incentives are compensation in the form of gift cards, gift certificates, or vouchers provided to an NCP in exchange for exceeding specified goals as defined by the Board. The intent is to improve employment and retention outcomes. Incentives do not include support services such as transportation or reimbursement of work-related expenses.

Boards choosing to offer nonmonetary incentives must develop guidelines and strategies (eligibility, limitations, etc.) that provide for the use of the incentives and ensure the incentives are accurately documented in TWIST in a timely manner.

4. Nonrecurrent Short-Term Benefits

Boards may provide nonrecurrent, short-term benefits designed to deal with specific crisis situations or episodes of need.

Boards must ensure that these benefits, which are not intended to meet recurrent or ongoing needs, do not extend beyond four months.

C. VERIFICATION AND DOCUMENTATION REQUIREMENTS

Boards must ensure that Workforce Center staff:

- tracks in TWIST and COLTS all NCPs ordered into the NCP Choices program;
- documents all activities, services, and outcomes (participation, employment, and retention) as part of the ongoing case management duties;
- accurately completes TWIST and COLTS data entry within three working days of each activity;
- when an NCP obtains employment, verifies employment and begins employment retention monitoring; and
- verifies and documents employment retention each month for six months, and reports compliance or noncompliance in TWIST and COLTS.

The *NCP Choices TWIST Quick Reference Guide* is available at <http://www.twc.state.tx.us/boards/guides/ncpdeskaid.pdf>.

OAG's *Choices Online Tracking System (COLTS) Training Manual* is available at https://www.oag.state.tx.us/cs/ofc/colts/resources/colts_training.pdf. All Board and Workforce Center staff must receive training provided by OAG staff prior to accessing the system. User accounts are created and maintained by TWC staff.

Except as otherwise indicated, Boards may develop their own procedures relating to physical documentation requirements.

Boards must ensure that Workforce Center staff keeps the signed OAG Authorization to Release Information form (available at https://www.oag.state.tx.us/cs/ofc/colts/resources/Authorization_Info_Release_Attachment_A.pdf) in the NCP's individual case file. OAG has the right to request an audit of these forms.

Hard copies of the following must also be maintained in individual case files:

- Documents that require a signature, including documents that TWIST cannot identify through data entry, such as job search worksheets
- Documents that notify individuals of special provisions related to the NCP Choices program

All NCP Choices participants must maintain a daily log of their job search participation and employment contacts. Boards must ensure that Workforce Center staff documents and verifies participation in job search activities at least weekly.

Boards may determine how NCP Choices participants present job search information.

However, Boards must ensure that, at a minimum, job search documentation is signed and dated by the NCP and includes:

- information on potential employers contacted, including the method, date, and time of contact; the job opening; and the employer's name and contact information;
- daily records of the time spent engaged in job search; and
- a statement certifying that the information presented is true and correct.

The following are acceptable forms of documentation to verify job search logs:

- Fax transmittal receipts for résumés or applications submitted to employers (only if the fax number has been verified as belonging to the listed employer)
- Copies of completed job applications
- Business cards or brochures from the contacted employer
- Signed contact verification forms (as determined by Board policy)
- Printouts of e-mail submissions of résumés or applications (only if the e-mail address has been verified as belonging to the listed employer)

Note: Phone calls are no longer accepted as allowable sources of documentation.

D. CASE CLOSURE

Boards must ensure that, in the event of noncompliance, Workforce Center staff does not close an NCP's case until receiving notification from OAG or the court that the NCP has been removed from the program. Only upon receiving confirmation that the NCP has been removed can the *TWIST Program Detail* and the COLTS record be closed.

Boards must ensure that Workforce Center staff submits, by e-mail or mail, a case closure request to the OAG contact by using:

- the Request to Remove form (sample available at <http://www.twc.state.tx.us/boards/guides/ncpremoval.pdf>); or
- a locally developed form.

Boards must ensure that locally developed forms include the following information:

- Workforce Center staff person's contact information (name, address, and phone number)
- NCP's name
- Cause number
- OAG case number
- Reason for requesting the removal

Reasons for removal from the NCP Choices program:

1. **Meets program requirements**—In most instances, a removal request will not be necessary if an NCP has met retention and “graduated” from the program.

When the NCP has retained employment for six months, Boards must ensure that Workforce Center staff:

- closes the case in TWIST by entering the exit date and reason in the *TWIST Program Detail*; and
- closes the case in COLTS changing the *WF Status* from “Open” to “Closed.”

When an NCP meets programs requirements, no confirmation from OAG or the court is required to close the case. However, Boards must ensure that Workforce Center staff:

- notes in TWIST and COLTS that the NCP has successfully completed the NCP Choices program; and
- closes the *TWIST Program Detail* and the COLTS record.

2. **Noncompliance with NCP Choices program requirements**—Boards must determine noncompliance with workforce-related program performance and submit requests to OAG for case closure based on the following program guidelines:

- If an NCP does not appear for his or her first meeting with Workforce Center staff or does not return after the first meeting, reasonable and timely attempts (as defined by the Board) must be made to contact the NCP.

- If, after 30 days, an NCP is not meeting program participation requirements, a request to remove the NCP from the NCP Choices program must be made to OAG.
- If an NCP has not actively participated for 90 days, a request to remove the NCP from the NCP Choices program must be made to OAG.
- If an NCP is compliant with NCP Choices program requirements, but has not obtained employment after 180 days of participation, a request to remove the NCP from the NCP Choices program must be made to OAG. (*Note:* This time frame may be shorter than 180 days, but not be less than 90 days.)

3. **Becomes ineligible or unavailable to participate**—When an NCP is deceased, Boards must ensure that Workforce Center staff closes the COLTS *WF Status* upon receiving verification of the parent’s death. In the event that an NCP is jailed on charges unrelated to child support, is medically unable to work, is not legally allowed to work in the United States, or moves out of the workforce area, Boards must ensure that Workforce Center staff immediately contacts the local child support office with this information. OAG then will review the case to determine whether to remove the NCP from the program.

In an effort to assist with caseload management and to adhere to the principle of “swift and certain” consequences, Boards must ensure that Workforce Center staff follows these procedures if the court does not hold regular compliance hearings or if hearings are set more than 90 days away:

Immediate Request for Removal	Request for Removal after 30 Days	Request for Removal after 90 Days	Request for Removal after 180 Days
<ul style="list-style-type: none"> • Disability (documented) • Relocation out of workforce area • Incarceration <p><i>Note:</i> Cases can be closed immediately upon notification that a capias has been issued or a motion to revoke has been filed.</p>	<ul style="list-style-type: none"> • NCP does not appear for first meeting and does not respond to outreach. • NCP does not return after first meeting and does not respond to outreach. 	<ul style="list-style-type: none"> • NCP is not actively participating in the program (e.g., active work search, weekly contact until employed, monthly post-employment contact). • NCP is actively participating in the program, but is still unemployed; NCP can be removed after—but not before—90 days. 	<p>NCP is actively participating in the program, but is still unemployed after six months</p>

NCP Choices Program

Chapter 3 – List of Revisions

Note: The guide contains minor, nonsubstantive editorial changes that are not included on the List of Revisions.

DATE	SECTION	COMMENTS